

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

112

CWP-13025-2022

Date of Decision : February 24, 2026

ARSHDEEP BHALLA

-PETITIONER

V/S

**REGISTRAR (GENERAL) PUNJAB AND HARYANA HIGH COURT
AND ORS.**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. K.S. Lakhanpal, Advocate, for
Mr. A.S. Jawandha, Advocate
for the petitioner.

Mr. Birinder Singh Khehar, Advocate
for the respondents.

KULDEEP TIWARI, J. (ORAL)

1. The instant writ petition embodies a challenge to the order dated 13.01.2022, passed by the District and Sessions Judge, Jalandhar, whereby, although the petitioner's application for grant of Child Care Leave w.e.f. 04.01.2022 to 01.07.2022 was rejected, she was nevertheless granted Earned Leave for the said period. The bedrock for rejection of Child Care Leave, as evident from the impugned order, was constituted by the Instructions dated 19.05.2015, according to which Child Care Leave is admissible only when a woman employee has no Earned Leave to her credit.

2. At the outset, learned counsel representing the respondents submits that the Instructions (*supra*) have been withdrawn pursuant to the letter dated 30.09.2023, which is applicable throughout all District and Sessions Divisions within the State of Punjab. The relevant portion of the letter dated 30.09.2023 is extracted hereunder:-

“Subject: Grant of Child Care Leave to the Women Employees of

Punjab Subordinate Courts without exhausting earned leave in their account.

Reference: Representation submitted by Women Government Employees of Ludhiana Sessions Division, received vide letter No.39/G dated 03.01.2022 of the District & Sessions Judge, Ludhiana.

Sir/Madam,

I am directed to refer you on the subject cited above and to inform you that Hon'ble the Chief Justice and Hon'ble Judges of this Court have been pleased to pass the following orders:-

"....After deliberating over the issue in detail, the Committee recommends that condition No.1 imposed by this Court re: availing of Child Care Leave only when the concerned women employee has no earned leave at her credit (circulated vide letter No. 208 Spl. E.II.L.80(a) dated 19.05.2015) be withdrawn, in view of the fact that the said condition has already been withdrawn with regard to Women Judicial Officers in the State of Punjab as also the fact that no such condition was laid by the Government of Punjab vide instructions dated 22.12.2011 and 08.08.2012 as also in Rule 8.128-B of the Punjab Civil Service Rules, Volume-I (Part-I)."

You are, therefore, requested to take action in the matter, accordingly."

3. In view of the supervening events, this Court is of the opinion that, consequent upon the withdrawal of the Instructions dated 19.05.2015, the petitioner's case necessitates fresh consideration regarding her entitlement to Child Care Leave for the period (*supra*) in place of Earned Leave.

4. Consequently, the **instant writ petition is allowed** and the **impugned order is set aside**. The District and Sessions Judge, Jalandhar, is directed to reconsider the petitioner's case for grant of Child Care Leave for the period (*supra*), in light of the letter dated 30.09.2023.

February 24, 2026
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No